GOVERNMENT OF INDIA
DEFENCE
LOK SABHA

UNSTARRED QUESTION NO:466
ANSWERED ON:03.03.2005
RULES AND REGULATIONS TO DEAL WITH DISABILITY
Khanduri AVSM,Maj.Gen.(Retd.) Bhuwan Chandra

Will the Minister of DEFENCE be pleased to state:

(a) whether the Government is aware of the discontentment in the Armed Forces with regard to the Rules and Regulations for dealing with disability occurring the period of service, other than in War;

(b) whether these rules and regulations are of pre-independence vintage;

(c) whether the Government is aware that the percentage of disability given by an expert, high level Medical Board can be reduced by the CDA (Pension), Allahabad;

(d) whether the Government has made any attempt to review and update those; and

(e) if so, when and the details of changes made?

Answer

MINISTER OF STATE IN THE MINISTRY OF DEFENCE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI BIJOY KRISHNA HANDIQUE)

(a) There have been representations from Ex-Servicemen relating to different aspects of disability pension.

(b) No, Sir.

(c) Medical Adviser (Pension) attached to the Office of the PCDA(P), Allahabad adjudicates the percentage of disability in the case of Personnel Below Officer Rank in disease related cases. In the case of officers the adjudication is done by the respective Service HQrs. While adjudicating the matter the adjudicating authority sometimes modifies the percentage of disability recommended by the Medical Board. However, whenever the individual feels aggrieved, he has the option to appeal against the decision to the Appellate Committees.

(d) The Rules/Regulations are modified as and when necessary.

(e) The Entitlement Rules to Casualty Pensionary Awards to the Armed Forces personnel, 1982 issued in supersession of previous orders have further been amended by Corrigendum issued on 21st August, 1984 substituting para 3 of the Appendix regarding applicability, 24th August, 1992 amending applicability of Clause 12 (e) of the Rules, 20th June, 1996 amending Rule 14 regarding attributability to military service and 21st June, 1996 amending Rule 17 regarding medical opinion and competent medical authorities and amending Rule 27(C) regarding medical authority.